

Amended Proposed Regulatory Text

Section 8.00, Title 14, CCR, is amended as follows:

**§ 8.00. Low-Flow Restrictions.**

(a) Eel River, Mad River, Mattole River, Redwood Creek, Smith River and Van Duzen River.  
Stream closures: Special Low Flow Conditions.

(1) From ~~September 1 for the Mad River only and October 1 for all other streams through January 31~~ September 1 through April 30:

(A) any of the stream reaches listed in ~~subsection (1) through (7)~~ subsections (2) through (8) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at any of the designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (7)~~ (2) through (8);

(B) any of the stream reaches listed in subsections ~~(1) through (7)~~ (2) through (8) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at any of the designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (7)~~ (2) through (8);

(C) any of the stream reaches listed in subsections ~~(1) through (7)~~ (2) through (8) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at any of the designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (7)~~ (2) through (8).

(D) Notwithstanding this provision, the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in subsections ~~(a)(1)–(7) of Section 8.00~~ (2) through (8) before or on the next flow-determination date.

(E) In addition, the department may reopen a stream at any time during a closed period if the minimum flow as specified in subsections ~~(a)(1)–(7) of Section 8.00~~ (2) through (8) is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination. The department shall make information available to the public by a telephone recorded message updated, as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

(2) Eel River

~~(A) From the mouth to Fulmor Road, at its paved junction with the south bank of the Eel River. Closed to hook and line fishing; other legal fishing methods are allowed during this timeframe.~~

(A) From the mouth to Fulmor Road, at its paved junction with the south bank of Eel River, closed to angling. Except:

1. Legal fishing methods other than angling are permitted.
2. From the mouth to Cock Robin Island Bridge, angling from shore for non-salmonids is permitted.

~~(1)~~ (B) The main stem Eel River from the paved junction of Fulmor Road with the Eel River to the South Fork Eel River.

Minimum Flow: 350 cfs at the gauging station at Miranda.

~~(2)~~ (3) The South Fork of the Eel River downstream from Rattlesnake Creek and the Middle Fork Eel River downstream from the Bar Creek.

Minimum Flow: 340 cfs at the gauging station at Miranda.

~~(3)~~ (4) Van Duzen River: The main stem Van Duzen River from its junction with the Eel River to the end of Golden Gate Drive near Bridgeville (approximately 4,000 feet upstream from the Little Golden Gate Bridge).

Minimum Flow: 150 cfs at the gauging station near Grizzly Creek Redwoods State Park.

~~(4)~~ (5) Mad River: The main stem Mad River from the Hammond Trail Railroad Trestle to Cowan Creek.

Minimum Flow: 200 cfs at the gauging station at the Highway 299 bridge.

~~(5)~~ (6) Mattole River: The main stem of the Mattole River from the mouth to Honeydew Creek.

Minimum Flow: 320 cfs at the gauging station at Petrolia.

~~(6)~~ (7) Redwood Creek: The main stem of Redwood Creek from the mouth to its confluence with Bond Creek.

Minimum Flow: 300 cfs at the gauging station near the Highway 101 bridge.

~~(7)~~ (8) Smith River: The main stem Smith River from the mouth of Rowdy Creek to the mouth of Patrick Creek (tributary of the Middle Fork Smith River); the South Fork Smith River from the mouth upstream approximately 1000 feet to the County Road (George Tyron ) bridge and Craigs Creek to its confluence with Jones Creek; and the North Fork Smith River from the mouth to its confluence with Stony Creek.

Minimum Flow: 600 cfs at the Jedediah Smith Redwoods State Park gauging station.

THE NUMBER TO CALL FOR INFORMATION IS (707) 822-3164.

(b) Mendocino, Sonoma, and Marin County coastal streams: Stream Closures: Special Low Flow Conditions.

(1) From ~~October 1 through March 31~~ September 1 through April 30 as follows:

(A) Any of the stream reaches listed in subsections ~~(1) through (4)~~ (2) through (5) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at the applicable designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (4)~~ (2) through (5).

(B) Any of the stream reaches listed in subsections ~~(1) through (4)~~ (2) through (5) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at the applicable designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (4)~~ (2) through (5).

(C) Any of the stream reaches listed in subsections ~~(1) through (4)~~ (2) through (5) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at the applicable designated gauging stations is less than the minimum flows set forth in subsections ~~(1) through (4)~~ (2) through (5).

(D) Notwithstanding this provision, the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in the corresponding subsections (b) ~~(1) through (4)~~ (2) through (5) before or on the next flow-determination date.

(E) In addition, the department may reopen a stream at any time during a closed period if the minimum flow as specified in the corresponding subsections (b) ~~(1) through (4)~~ (2) through (5) is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination.

(F) The department shall make information available to the public by a telephone recorded message updated, as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

THE NUMBER TO CALL FOR INFORMATION IS (707) 822-3164 for Mendocino County and (707) 944-5533 for Sonoma, Marin, and Napa counties.

~~(1) (2)~~ All streams tributary to the Pacific Ocean (and its bays) in Mendocino County, except for the Russian and Gualala rivers. All rivers, creeks, and streams that flow directly into the Pacific Ocean (and its bays), in Mendocino County, except for the

Russian and Gualala rivers. This excludes sections and reaches above fish migration barriers, dams, and natural features that prevent upstream anadromous migration.

Minimum Flow: 200 cfs at the USGS gauging station on the main stem Navarro River near Navarro, CA.

~~(2)~~ (3) All streams tributary to the Pacific Ocean (and its bays) in Sonoma and Marin counties, except for the Russian River. All rivers, creeks, and streams that flow directly into the Pacific Ocean (and its bays), in Sonoma and Marin counties, except for the Russian River. This excludes sections and reaches above fish migration barriers.

Minimum Flow: 150 cfs at the gauging station on the South Fork Gualala River near Sea Ranch (Sonoma County).

~~(3)~~ (4) Russian River main stem below the confluence of the East Branch Russian River (Mendocino and Sonoma counties), Laguna de Santa Rosa, and Santa Rosa Creek.

Minimum Flow: 300 cfs at the gauging station located on the main stem Russian River near Guerneville (Sonoma County).

~~(4)~~ (5) The Napa River (Napa County) between Trancas Avenue in Napa and Oakville Cross Bridge near Yountville.

Minimum Flow: 15 cfs at the gauging station at the Oak Knoll Bridge on the main stem Napa River.

(c) South Central Coast Streams - Special Low Flow Closures: During December 1 through March 7 the following streams (subsections (1) through ~~(7)~~ (5)) will be closed to fishing when the department determines that stream flows are inadequate to provide fish passage for migrating steelhead trout and salmon. Closed streams will be reopened when the department determines flows are adequate for fish passage.

~~(1)~~ Upper Penitencia Ck. (Santa Clara Co.) and Lower Coyote Ck. below its confluence with Upper Penitencia Ck. (U. S. G. S. gauging station on lower Coyote Ck. above St. Highway 237 in Milpitas).

~~(2)~~ (1) Pescadero Creek and all anadromous reaches of San Mateo Co. coastal streams normally open for fishing, from Elliot Ck. through Milagro Ck., shall be closed to all fishing when the department determines that the Pescadero Ck. flows are impeding fish passage. (U. S. G. S. gauging station is on Pescadero Ck.)

~~(4)~~ (2) Aptos and Soquel Creeks (Santa Cruz Co.) shall be closed to all fishing when the department determines that the Soquel Ck. flows are impeding fish passage. (U. S. G. S. gauging station on Soquel Ck.)

~~(5)~~ (3) The Pajaro River and Uvas, Llagas, and Corralitos Creeks, (Santa Cruz, Monterey, & Santa Clara Co.) shall be closed to all fishing when the department determines that the Pajaro R. flows are impeding fish passage. (U. S. G. S. gauging station on the lower Pajaro River).

~~(6)~~ (4) The main stem of the Salinas River (Monterey Co.), below its confluence with the Arroyo Seco River shall be closed to all fishing when the department determines that

the flows are impeding fish passage (U. S. G. S. Spreckels gauging station on the Salinas R.).

~~(7)~~ (5) The Arroyo Seco River (Monterey Co.) shall be closed to all fishing when the department determines that the flows are impeding fish passage. (Flows to be evaluated at U. S. G. S. Spreckels gauging station on the Salinas R. and the U. S. G. S. gauging station near Geenfield on the Arroyo Seco R.).

~~(3)~~ (6) The San Lorenzo River and all its tributaries, as well as all anadromous reaches of coastal streams normally open for fishing in Santa Cruz Co. from the San Lorenzo R. on North through ~~Wadell-Waddell Ck.~~, shall be closed to all fishing when the department determines that ~~less than 40 cubic feet per second (cfs) at the United States Geological Survey (U.S.G.S.) gauging station on the San Lorenzo River (U. S. G. S. gauging station in Henry Cowell Redwood State Park).~~ the flow at the U.S.G.S. gauging station (#11160500) in the San Lorenzo R. at Big Trees is less than 40 cfs.

~~(8)~~ (7) The Carmel River main stem, and the adjacent waters of San Jose, Gibson, Malpaso, Soberanes Creeks that are West of Highway 1 (Monterey Co.), shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station near Carmel is less than 80 cfs.

~~(9)~~ (8) The Big Sur River main stem west of the Highway 1 bridge, all of Limekiln Ck and its tributaries, and the anadromous portions of all other Big Sur Coast streams West of Highway 1 in Monterey Co., from Granite Ck. south to Salmon Ck., shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station on the Big Sur River is less than 40 cfs.

(9) The stream flow gauges referred to above in subsections ~~(8)~~ and ~~(9)~~ (6) through (8) will be checked on Tuesday and Friday of each week. The decision as to whether these rivers will be open or closed to fishing will take place only on Tuesday and Friday of each week. In the event that river flow differs later in the week, the fishing status for each specific river will not change until the day following the next scheduled reading.

(10) It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any of the rivers or creeks listed above in subsections (1) through ~~(9)~~ (8).

THE NUMBER TO CALL FOR INFORMATION IS (831) 649-2886.

Note: Authority cited: Sections 200, 205, 265 and 270, Fish and Game Code. Reference: Sections 200, 205 and 265, Fish and Game Code.